

Message

From: Tesler, Theodore [thtesler@pa.gov]
Sent: 11/7/2017 3:53:12 PM
To: Kristen Wolf [kwolf@pa.gov]; Trevena, Suzanne [Trevena.suzanne@epa.gov]; Kasi, Veronica [vbkasi@pa.gov]
Subject: RE: REMINDER COMMENTS DUE FRIDAY 11/3: Milestone Guide document for Review

Same for me.

-Ted

From: Wolf, Kristen
Sent: Friday, November 03, 2017 1:55 PM
To: Trevena, Suzanne <Trevena.suzanne@epa.gov>; Kasi, Veronica <vbkasi@pa.gov>; Tesler, Theodore <thtesler@pa.gov>
Subject: RE: REMINDER COMMENTS DUE FRIDAY 11/3: Milestone Guide document for Review

I have no further comments to Nicki's synopsis below.

From: Trevena, Suzanne [mailto:Trevena.suzanne@epa.gov]
Sent: Thursday, November 02, 2017 4:39 PM
To: Kasi, Veronica <vbkasi@pa.gov>; Wolf, Kristen <kwolf@pa.gov>; Tesler, Theodore <thtesler@pa.gov>
Subject: RE: REMINDER COMMENTS DUE FRIDAY 11/3: Milestone Guide document for Review

Nicki,

I am heading out for the day and off tomorrow so I'll wait to see if Kristen and Ted have any additions and I'll review this on Monday.

Thank you for taking the time to capture your thoughts.

Suzanne

From: Kasi, Veronica [mailto:vbkasi@pa.gov]
Sent: Thursday, November 02, 2017 4:25 PM
To: Trevena, Suzanne <Trevena.suzanne@epa.gov>; Kristen Wolf <kwolf@pa.gov>; Tesler, Theodore <thtesler@pa.gov>
Subject: FW: REMINDER COMMENTS DUE FRIDAY 11/3: Milestone Guide document for Review

Proposed email: (Kristen and Ted, please feel free to add as you see fit. I just wanted to get this down while I was thinking about it.) What do you think?

Before this workgroup spends any more time dealing with the details of modifying this document, I think there are some more over-arching fundamental questions and issues that need to be addressed.

1. What is the purpose of this document? Is this a "Partnership" document that describes a consensus approach as to how we all will develop, submit and evaluate progress or is this a definition of "EPA Expectations" that will be used as a standard for their programmatic evaluation? There is a big difference here in the content and how this document is developed based on the answer to this question.
2. If this is an "EPA Expectations" document it needs to state more than EPA is going to "evaluate our program". How? Using what standard? Our WIP? Our grant workplan? Our commitments as defined in the Watershed Agreement? Some other set of criteria yet to be defined?
3. How does this document and the requirements defined within it mesh with the Watershed Agreement and the EPA Expectations Document for the Phase 3 WIP? The first paragraph talks about "agreements by the Executive Council beginning in 2008", but no mention of the 2014 Agreement is made, the outcomes and workplans

developed or the adaptive management approach taken that is the basis for the “accountability framework” used to document implementation.

As background for why I am raising these issues, there are a number of different initiatives going on right now that will, or have, defined requirements or expectations for the jurisdictional partners to address or comply with. There is a considerable amount of thought and work being put into each of these initiatives, but I am beginning to question whether any thought has been put into the impact of one initiative on another. For example:

1. The newly released draft Grant Guidance (Nick DiPasquale email dated November 2) references this 2-year milestone document as Attachment 14. On page 30 of the grant guidance, it talks about grant objectives being linked to the Watershed Agreement management strategies. They also have to be linked directly to the WIP and/or the two-year milestones. The guidance also goes on to require “activities related to the development of the WIPs must be consistent with EPA expectations” and follows with a list of documents, the document we are now revising being one of them. This leads me to believe all these initiatives have to be interconnected and addressed by the jurisdictions if we want to continue to receive Chesapeake Bay Program grant monies.
2. On page 3 of their “Interim Final Expectations for the Phase 3 Watershed Implementation Plans”, EPA also “encourages state and local jurisdictions to consider the corollary benefits of BMPs that are targeted for implementation. Corollary benefits are those that not only result in water quality improvements but could address other 2014 Chesapeake Bay Watershed Agreement Outcomes...” As a result of the Strategy Review System put in place to review the outcomes from the Watershed Agreement, the Bay Program Management Board created an Action Team to further look into how outcomes from the Agreement could be incorporated into the WIP. This Action Team has now identified 12 specific outcomes from the Watershed Agreement and developing material to be incorporated into each jurisdiction’s Phase 3 WIP. So while it is not a requirement, there is now certainly the expectation that the jurisdictions’ Phase 3 WIPs will now incorporate some subset, if not all, of these 12 outcomes.
3. The Management Board, with the assistance of Goal Implementation Team 6, recently put in place a Biennial Review System for the review of all 31 outcomes in the 2014 Watershed Agreement, of which the Watershed Implementation Plans is one. With each outcome there is a strategy and a two year workplan with, yes, milestones. The review of the outcome where the WIP is included is scheduled for the May 2018 Management Board Meeting. This means the Water Quality Goal Implementation Team (WQGIT) will have to start preparing the necessary templates, logic tables and analyze the existing workplan sometime within the next 3-4 months in order to have the necessary materials in place for this May 2018 meeting of the Management Board. The WQGIT will then have 90 days after the June meeting of the Management Board to develop the next two year workplan to cover this work. This is in addition to the Milestone Workplans referenced in the documents this workgroup is reviewing. So this means the Bay Program will be asking the jurisdiction program staff to be writing the Phase 3 WIP, developing 2018-2019 numeric milestones (I think based on what I can understand from the text of the proposed changes to this guidance) and participating in the development of a workplan for the Watershed Agreement Water Quality Outcome all at the same time... all with different requirements, templates and expectations. Go us.
4. In addition, let’s expand and combine two and three above. Assuming the jurisdictions all move forward with the provisions of 2 and incorporate aspects of these 12 outcomes into their WIPs, these outcomes all have 2 year workplans with milestones developed for further implementation. These workplans have the potential of facilitating implementation of the WIP. Unfortunately, all these workplans are on different two year cycles, in accordance with the Strategy Review System described in #3. Again, this system is done over a two year cycle with a grouping of outcomes being reviewed by the Management Board every couple months. The schedule for the review of the 12 outcomes selected for incorporation into the WIP and the development of new two year workplans do not mesh with the development of either the programmatic or the numeric milestones for the Phase 3 WIP, nor does the template for these workplans mesh with the milestone template used for the WIPs. Talk about an implementation and coordination nightmare waiting to happen, I think this is it.
5. I have heard more than once, out of the mouths of more than one EPA Chesapeake Bay Program Office staff person; that the commitments identified in the Phase 3 WIPs can be “adaptively managed” and revised through the two year milestones. I would think formal guidance on how that is done and how we will demonstrate that we are still meeting the original EPA Expectations regarding the WIPs is needed. I’m thinking this document should serve that purpose? If this is the case I think much more detail is needed and some inconsistencies

addressed. For example, the states are required to use CAST to submit detailed analyses of the numeric numbers submitted for the progress run and numeric milestones; yet any programmatic changes will be "modeled by EPA" without any specifics as to what that means or what data the states will be required to submit in order for EPA to do that modeling.

6. Finally, last but not least, why are we developing 2018-2019 milestones that have to be due January of 2018? This is duplicative of the 2018-2015 milestones we have to develop for the WIPS and may result in being direct conflict with the WIPs. This could result in wasted time explaining things to folks we are trying to work with to gain their trust. Please try and reconsider requiring this or minimize the requirements as to content for these milestones so that the apparent duplication between the two is addressed.

I hope this is helpful. I look forward to the discussion on the 15th.

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From: Trevena, Suzanne [<mailto:Trevena.suzanne@epa.gov>]

Sent: Tuesday, October 31, 2017 4:38 PM

To: Alana.C.Hartman@wv.gov; Allen, Greg <allen.greg@epa.gov>; Ann Swanson (aswanson@chesbay.us) <aswanson@chesbay.us>; Bisland, Carin <bisland.carin@epa.gov>; Brittany Sturgis <Brittany.Sturgis@state.de.us>; Day, Christopher <Day.Christopher@epa.gov>; dbelin@ene.com; Diane Davis <diane.davis2@dc.gov>; Doug Ashline (douglas.ashline@dec.ny.gov) <douglas.ashline@dec.ny.gov>; Edward, James <edward.james@epa.gov>; Gable, Kelly <Gable.Kelly@epa.gov>; gsandi@mde.state.md.us; HSTEWART@dnr.state.md.us; Izraeli, Ruth L. <Izraeli.Ruth@epa.gov>; James Davis Martin (James.Davis-Martin@deq.virginia.gov) <James.Davis-Martin@deq.virginia.gov>; Jennifer A. Volk <jennvolk@udel.edu>; Jennifer Keisman <jkeisman@usgs.gov>; Jim George <jgeorge@mde.state.md.us>; Joan.Salvati@dcr.virginia.gov; Kasi, Veronica <vbkasi@pa.gov>; Lauren Townley <lauren.townley@dec.ny.gov>; Marcia Fox <marcia.fox@state.de.us>; Mark.Davis@state.de.us; McNally, Dianne <mcnally.dianne@epa.gov>; Megan Bascone <megan.bascone@deq.virginia.gov>; Paul Emmart <PEmmart@mde.state.md.us>; Peter Boussein <PBoussein@cbf.org>; Power, Lucinda <power.lucinda@epa.gov>; Russell Baxter - Commonwealth of Virginia (Russ.Baxter@governor.virginia.gov) <Russ.Baxter@governor.virginia.gov>; sbattle-mcdonald@mde.state.md.us; Sweeney, Jeff <sweeney.jeff@epa.gov>; Tesler, Theodore <tthtesler@pa.gov>; Teresa M Koon <Teresa.M.Koon@wv.gov>; Thyng, Megan <Thyng.Megan@epa.gov>; Vetter, Doreen <vetter.doreen@epa.gov>; Wolf, Kristen <kwolf@pa.gov>

Subject: REMINDER COMMENTS DUE FRIDAY 11/3: Milestone Guide document for Review

Good afternoon,

This is a friendly reminder that comments are due Friday November 3 on the updates to the Milestone Guide. Thanks to those who sent comments already. This will help me to revise the document in advance of our call on 11/15 and to have a more targeted discussion on specific concerns folks have regarding the updated document.

Please use track changes when possible and I requested each state/organization would submit 1 version with feedback (or set of comments). Prior e-mail messages to you all are captured below.

Thanks so much,

Suzanne

Suzanne Trevena
EPA Region 3
1650 Arch St (3WP10)
Philadelphia, PA 19103
215-814-5701

From: Trevena, Suzanne
Sent: Wednesday, October 11, 2017 3:52 PM
Subject: RE: Milestone WG call 11/15/17 1-3PM

Good afternoon,

Based on the scheduling poll to ensure I have representation from all jurisdictions on this call, please reserve **Wednesday November 15, 2017 from 1-3PM** for our call.

Call in #: Ex. 6 Personal Privacy (PP)

Code: Ex. 6 Personal Privacy (PP)

Please send me your written comments on the draft Milestone Guide by November 3. I will work to address comments/proposed revisions and create a more informed agenda based on your feedback. Please use track changes if possible when sharing the document back with me and ideally each state/organization would submit 1 version with feedback.

We will discuss the Guide itself (which includes the trajectory question) and Milestone Timing for 2018-2019 milestones. If you have additional questions or topics you'd like discussed as a group please send those to me by November 3 as well.

Thanks and I look forward to talking with you all. Apologies I couldn't make an earlier date work, but I really want as many of you as possible available for discussion.

Don't hesitate to reach out with questions in the meantime.

Thanks,

Suzanne

Suzanne Trevena
EPA Region 3
1650 Arch St (3WP10)
Philadelphia, PA 19103
215-814-5701

From: Trevena, Suzanne
Sent: Friday, October 06, 2017 9:16 AM
Subject: Milestone Guide document for Review

Good morning,

While I am investigating the ideal date for us to gather on a call I wanted to share with you the markup of the Milestone Guide. I am attaching the 2011 final Milestone Guide for reference, a clean revised 2017 Milestone Guide, and a "Comparison document" which shows the majority of the track changes for ease of finding the revisions.

The purpose of the Milestone Guide is to provide EPA's expectations for jurisdictions and federal agencies in the development and reporting of two-year milestones. The most significant changes from 2011 are to better address 508 compliance, which includes ensuring all documents posted to EPA's website are accessible to people with disabilities. Revisions to the text were geared to clarify language and changes that occurred over the years to improve the Milestone process and to document these decisions/changes.

You will not see in the Comparison document track changes is where all footnotes were deleted and have been converted to hyperlinks and the Gantt chart in former Appendix A was deleted and replaced with text to explain the milestone chronology in Appendix B. Warning: formatting may be a little off in the Comparison version due to comparing with an older Word version. I will address all formatting issues in the final.

Thanks for your time to review the updated Milestone Guide and I will reach out shortly to confirm the date of the call and call information.

Suzanne

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